

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

LONDON-SIRE RECORDS INC., a Delaware corporation; ATLANTIC RECORDING CORPORATION, a Delaware corporation; BMG MUSIC, a New York general partnership; ELEKTRA ENTERTAINMENT GROUP INC., a Delaware corporation; INTERSCOPE RECORDS, a California general partnership; UMG RECORDINGS, INC., a Delaware corporation; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; ARISTA RECORDS LLC, a Delaware limited liability company; CAPITOL RECORDS, INC., a Delaware corporation; VIRGIN RECORDS AMERICA, INC., a California corporation; and WARNER BROS. RECORDS INC., a Delaware corporation,

Plaintiffs,

v.

DOES 1-4,

Defendants.

CIVIL ACTION 04-12434 NG  
LEAD DOCKET NUMBER

**NOTICE OF DISMISSAL WITHOUT PREJUDICE OF DEFENDANT JOHN DOE  
IN THE MATTER FORMERLY KNOWN AS *CAPITOL RECORDS V. JOHN DOE*,  
U.S. DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS, NO. 04-CV-12438**

Pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure, Plaintiffs hereby give notice of the dismissal without prejudice of the claims asserted against Defendant John Doe, in the matter known prior to the Court's April 20, 2005 consolidation order as Capitol Records v. John Doe, U.S. District Court for the District of Massachusetts, No. 04-CV-12438.

This notice of dismissal shall have no effect on claims asserted against any other defendants in this matter.

LONDON-SIRE RECORDS INC.; ATLANTIC RECORDING CORPORATION; BMG MUSIC; ELEKTRA ENTERTAINMENT GROUP INC; INTERSCOPE RECORDS; UMG RECORDINGS, INC.; SONY BMG MUSIC ENTERTAINMENT; ARISTA RECORDS LLC; CAPITOL RECORDS, INC; VIRGIN RECORDS AMERICA, INC; and WARNER BROS. RECORDS INC.,

By their attorneys,

/s/ Jocelyn L. Heyman

Colin J. Zick (BBO No. 556538)

Gabriel M. Helmer (BBO No. 652640)

Jocelyn L. Heyman (BBO No. 660240)

FOLEY HOAG LLP

155 Seaport Boulevard

Boston, MA 02210-2600

Phone: (617) 832-1000

Fax: (617) 832-7000

Of Counsel:

Yvette Molinaro

MITCHELL SILBERBERG & KNUPP  
LLP

11377 W. Olympic Blvd.

Los Angeles, CA 90064-1683

Phone: (310) 312-2000

Fax: (310) 312-3100

Stacey E. Deere

SHOOK HARDY & BACON LLP

2555 Grand Blvd.

Kansas City, Missouri 64108

Phone: (816) 474-6550

Fax: (816) 421-5547